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G/TIP/WHA FOR Eterno

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E.O. 12958: N/A

TAGS: [KWMN](#) [KCRM](#) [PHUM](#) [ELAB](#) [PREL](#) [SMIG](#) [ASEC](#)

SUBJECT: Haiti: Anti-TIP Proposal for ESF Funds, FY 2006

REF: 05 State 221183

- ¶1. Please find a proposal submitted by the Pan American Development Foundation (PADF) Haiti for anti-trafficking in persons ESF funding for FY 2006. Post fully supports this proposal as the submission best tailored to combat trafficking in persons in Haiti. The proposal targets the cross-border aspect of human trafficking into the Dominican Republic and, if awarded, PADF Haiti will coordinate activities with PADF Dominican Republic:

¶A. Title: Haiti/Dominican Republic Cross-Border Anti-Trafficking Project

¶B. Name of Recipient Organization: Pan American Development Foundation (PADF) Haiti and Dominican Republic

¶C. Project Duration: This proposal seeks funding for a 12-month program of activities for a new program component of the PADF Trafficking in Persons Project, already funded by USAID/Haiti.

¶D. Project Description: The new PADF/TIP component proposed aims to prevent trafficking between Haiti and the Dominican Republic through legal migration, border monitoring, public awareness, and victim rehabilitation.

Since 2003, PADF/TIP has carried out the following program activities primarily in Haiti:

- Advocacy, policy reform and legislation,
- Prosecution of traffickers and enforcement of legislation
- Information and media campaign
- Protection and rescue of trafficked persons.

During the same time frame, PADF implemented another program to build a network of strong civil society organizations throughout the cross-border region. This program is entitled Fwonty Nou -Nuestra Frontera, is financed by the USAID/PVC office, and is in the third of its five year life of project. The main program activities to build civil society capacity and promote cross-border cooperation are as follows:

- Technical assistance and training to build civil society capacity
- Mitigating cross-border conflict by creating bridges between Haitian and Dominican civil society organizations
- Creating new economic opportunities along the border

The present proposal builds on the success of both programs by creating a new TIP component focused specifically on the prevention of cross-border trafficking and victim abuse, including the

following activities:

- Cross-Border Task Force and bi-national advocacy for improved migration policies, including legal migration as a tool for the prevention of trafficking
- Assessing and improving border monitoring by creating a broad based and bi-national Border Watch program for advocacy, prevention, and more reliable data on border crossing and repatriation
- Strengthening border-area civil society and local government capacity to provide shelter and improve victim care for repatriated and trafficked Haitians, including children and sex workers
- Border-area information and media campaign in Spanish and Creole

These proposed activities will complement PADF programs presently underway on both sides of the border through Fwonty Nou-Nuestra Frontera and other current PADF Haiti programs including the following:

- A network of local TIP Action and Monitoring Committees,
- TIP programs to improve law enforcement via assistance to the national police Brigade for the Protection of Minors (BPM) and the social welfare institute (IBESR) of the Ministry of Social Affairs,
- A World Bank-funded Community Driven Development Project (PRODEP) which works with local civil society organizations and local government to promote employment creation and decentralization and
- PADF support for local civil protection committees and disaster preparedness (Haiti's national Civil Protection Agency has recently expressed interest in having PADF coordinate support for civil protection committees throughout the Haitian border area).

Given this organizational base, PADF is well situated to promote policy advocacy from the ground up, including advocacy for legal migration and the monitoring and prevention of cross-border trafficking. PADF will also leverage its special relationship to the OAS in Haiti and the Dominican Republic for technical assistance, expertise in human rights and anti-trafficking, and training of government personnel. Furthermore, during a PADF/DR workshop on border trafficking priorities, President Fernandez of the Dominican Republic publicly asked PADF and the OAS for assistance in monitoring Dominican repatriation of Haitians in order to safeguard against human rights violations.

## New Program Component

### Activities

11. Civil society border watch: border monitoring and documentation of trafficking, human rights abuses, and repatriation

The border watch program will include two types of activities: (a) on the Haitian side of the border, more systematic collection of data on trafficked and deported persons including evidence of human rights violations, geographic origins, social profile, children separated from adult caretakers, and conditions under which deportees were picked up, detained, and transported; (b) on the

Dominican side of the border, observation of deportation by local civil society organizations, including round-ups and detention in areas away from the border, and information sharing with border-area shelters and local authorities on the Haitian side regarding the impending arrival of deportees.

The border watch program will set the stage for improved monitoring of human rights abuses in the process of round-up and repatriation of undocumented Haitian migrants in keeping with concerns expressed by President Fernandez in June 2005. It will include establishment of cross-border civil society partnerships with organizations such as the Red Cross, cross-border communications, and arrangements for notifying local Haitian authorities of the arrival of deportees. The development of an improved database will facilitate advocacy on behalf of legal migration arrangements and human rights, and will support concerns and policy recommendations of the Cross-Border Task Force.

The project will conduct interviews with deportees and other returned migrants through border-area shelters, local human rights monitoring committees, and border mayor offices that provide services to migrants returning to Haiti. This project activity will require assessment of any current efforts to collect such data including the Groupe d'Appui au Rapatrié et Réfugiés (GARR) and grassroots human rights committees on the Haitian side of the border, and Solidaridad Fronteriza on the Dominican side. The project will examine the feasibility of introducing a standardized data collection instrument along with sustainable arrangements for holding and interpreting the data.

Data findings and reports will be made available to the Cross-Border Task Force and other interested parties including local monitoring committees and mayoral offices involved in collecting the data at the front lines of deportee entry into Haiti. The primary purpose of this activity is to develop a more reliable base of information rather than relying on hearsay to inform program planning and advocacy.

12. Cross-border public awareness campaign: anti trafficking messages, know-your- rights, referral to shelters and protection services for women and children

A media campaign in Spanish and Creole will discourage illegal migration and trafficking, promote respect for human rights including humane treatment of deportees, promote legal migration, discourage cross-border recruitment of unpaid child servants, and promote respect for the rights of children regardless of nationality. The media campaign will include radio spots, pamphlets, billboards, and a video documentary.

13. Cross-Border Task Force: workshops and grassroots development of policy recommendations to prevent trafficking and promote humane migration policies

This activity will build on the Fwontye Nou/Nuestra Frontera method of grassroots workshops and cross-border civil society exchanges as undertaken with considerable success in 2005. This will specifically address migration policy and related border issues, including trafficking.

It will integrate representatives of other sectors together with community-based organizations, including university, church, media, and human rights groups. Workshop participants will include current and former Haitian migrants and Dominican employers of Haitian migrants.

PADF, together with the OAS, will spearhead the creation of a Cross-Border Task Force. This activity will also recruit bi-national specialists in law and public policy to link grassroots concerns with the legal framework and public policies of Haiti and the Dominican Republic as well as international conventions and international law. The bi-national task force will participate in workshops and prepare a document summarizing grassroots concerns and policy recommendations. This culminating text will serve as a tool for advocacy with both national governments including the Commission Mixte Haitiano-Dominicaine (established in 1996), to promote legal migration and prevent trafficking.

14. Victim Services: Expansion of border area temporary shelter capacity and victim care services including rehabilitation and reintegration

The project will strengthen NGO rescue and shelter services operating in border towns on both sides of the border. This priority focuses on high volume border crossings such as Ouanaminthe/Dajabon, Beladre/Elias Pina, Malpasse/Jimani, Anse Pitre/Pedernales, and

other critical points of cross-border trafficking. These are also primary deportation zones for Haitians rounded up by Dominican authorities, including trafficked children and children separated from adult caretakers.

This activity will assist Haitian border-area mayors to provide shelter for deportees, and refer trafficked or deported children to more specialized rescue and rehabilitation service providers. This activity will include some material assistance to mayor's offices including beds. Work with the network of border-area shelters will also facilitate collection of data on deportees as noted earlier.

15. Training of border-area authorities: police, social workers, and local government officials including mayors and representatives of communal sectional councils (CASEC).

This component will be funded primarily out of the current PADF/TIP project and prospective follow-on funding from the USAID/Haiti Mission. Training sessions will be held in the four border areas noted above. Training will include human rights, monitoring procedures, and data collection on deportees and other returning migrants. Special sessions will be held for police officers in border areas, including techniques for interviewing and dealing with children. Training will include cross-border contact between authorities on both sides of the border to promote collaboration on repatriation and border monitoring, and greater awareness of bi-national issues and laws.

In the Dominican Republic, the project will follow up on a 2005 PADF/OAS seminar on human rights that included representatives of the Dominican military, police, and Ministry of Foreign Affairs. New training opportunities may open up if the

Dominican government implements publicly stated plans to create a new border patrol. The project will also assess training needs with a view to the publicly stated request by President Fernandez for assistance in monitoring human rights and the border, including repatriation.

1E. Justification: The overall problem addressed by the PADF/TIP program is trafficking in persons in two major sectors that include the exploitation and trafficking of children: (1) abuse and trafficking of children as domestic servants in Haiti, and (2) cross-border trafficking of Haitians, including women, child laborers, and sex workers in the neighboring Dominican Republic. The present proposal targets the second objective, cross-border trafficking. The following text describes the cross-border context and synthesizes the defining issues in cross-border trafficking between Haiti and the Dominican Republic.

#### The Border

The dilemma of Haitian migration is the most notable feature of the border is the flow of illegal Haitian migrants across the border to work in the Dominican Republic. The underlying factor in this labor migration is the acute poverty of Haiti, particularly by comparison to the much better economic conditions in the Dominican Republic. In short, there is high demand for cheap labor in the Dominican Labor, and there is a large supply of underemployed Haitian laborers readily available to meet the demand. The flood of Haitian laborers into the Dominican Republic has resulted in a polarizing social dilemma.

Dominican officials as well as ordinary citizens are fearful of Dominican vulnerability to an uncontrolled Haitian "invasion," and undocumented Haitian workers enjoy few or no legal rights in the Dominican Republic and are subject to abuse. Consequently, much of the pro-Haitian human rights advocacy in the Dominican Republic has an anti-Dominican tone, and well-informed debate over this increasingly volatile social dilemma is difficult to achieve. Furthermore, efforts to confront these polarizing migration issues do not generally take into account many positive experiences of numerous Haitians and Dominicans who live in close proximity to each other along the border.

Haitians in the Dominican Republic: No reliable statistics exist on the number of Haitians currently residing in the DR. The vast majority of them are undocumented. The minimal number is 500,000 although some informed estimates have posited closer to a million. Given an overall population of some 8 million Dominican citizens, perhaps one out of every ten people is a Haitian.

Historical background of Haitian migration: The destiny of Haitian migrants has been heavily influenced by the withdrawal of Dominican and Haitian governments from the organized supply of Haitian labor to Dominican sugar fields. During the era of government regulation of labor flow under the Dominican governments of Trujillo and Balaguer and the two Duvalier governments (Haiti), there was little smuggling of workers. The Haitian government recruited and transported young men to the border. Workers spent several months in Dominican cane fields and returned home at the end of the harvest. There were human rights abuses in this process; however, the cross-border flow of temporary labor was closely regulated.

Emergence of smuggling: With the disappearance of

the Duvaliers, the regulated flow of labor ceased. The entire sugar industry, from the mills to the laborers, then resorted to cross-border human smuggling and reliance on illegal workers. Currently, the entire agricultural sector of the Dominican Republic is heavily reliant on cheap Haitian labor provided by undocumented workers.

#### Border dynamics

- Local border area localities along the 380 kilometer Haiti-Dominican border are distinctly different from regions more distant from the border in both countries.
- Cross-border movement between neighboring cross-border localities.
- The border also attracts strangers to the border from literally all regions of Haiti, primarily undocumented labor migrants seeking to cross the border illegally.
- There are many repeat travelers back and forth across the border, including thousands of people who are not from border areas, as well as border residents.
- In sparsely populated areas, uncontrolled segments of the border are marked by lawlessness, including armed robbery and cross-border trafficking in stolen animals as well as undocumented migrants.
- Dominican medical services attract many Haitian clients, including children, especially Haitians from near-border areas.
- The Dominican sugar industry relies almost entirely on Haitians to cut the cane.
- The construction industry also relies heavily on Haitians for unskilled labor.
- In most parts of the country, Haitians have displaced Dominicans as paid laborers on the farms of Dominican campesinos and agroindustrial companies.
- Border area farmers in Haiti also seek access to farmland in Dominican border areas in the form of rental or sharecropping arrangements.
- Brunet (2001) as well as Bellande and Damais (2002) report very high rates of informal or illicit cross-border trade, especially for agricultural products. About 25 percent of all agricultural exports from both countries go to each other.

Child labor. Cross-border guides and smugglers arrange transportation and exploitative jobs for Haitian children in the Dominican Republic. A significant number of Haitian children work in the streets of Santo Domingo, Santiago, and other major towns of the Cibao area. Most are involved in informal activities such as begging, shining shoes, street vending, agricultural work, and, in the cases of young girls, in domestic service and prostitution. The Secretary of Labor of the Dominican Republic has estimated that 25,000 to 30,000 Haitian children work in the Dominican agriculture sector.

#### Evidence of trafficking and other abuse.

- There is evidence of cross-border trafficking of Haitian cane cutters. Though most cane cutters are young adults who come explicitly to work in cane fields, a subset of these young men is composed of minors under the age of 18.
- Undocumented migrants, including minors, are sometimes required to pay kickbacks in exchange for access to jobs as unskilled construction workers in Dominican cities.
- There are numerous reports of smugglers dropping off undocumented Haitians, including children, in remote areas where they are exposed

to the elements and risk death, instead of leading them to work opportunities as promised.

-- There are also confirmed cases of children, including restavk (a Creole word that refers to Haitian children sent to live with other households, usually other Haitian households, to work as unpaid servants) brought from Haiti to Santiago for the express purpose of organized begging or other revenue generating activities under the control of Haitian adults in Santiago.

-- There are numerous credible reports of "rent-a-child" arrangements by which Haitian female beggars in Santiago and Santo Domingo augment their income by begging with young children in their arms.

-- There are reports of young Haitian women on the bateyes of Barahona locked in a room and forced into prostitution services for Haitian cane cutters as well as young Dominican women trapped into prostitution in Port-au-Prince.

-- There is field evidence of smuggler recruitment of young Haitian women including minors for the sex trade in urban discothques and also for placement of underage Haitian females as domestic partners for rural Dominican men.

-- Aside from the sex trade, field interviews indicate that teenage girls and young women traveling with boukong (Creole term referring to cross-border smugglers, or buscones in Spanish) are vulnerable to sexual abuse or rape during travel to the DR.

#### Priorities for Action

Legal migration for cane cutting. There is ample cross-border smuggling unrelated to the sugar industry; however, the heaviest volume of smuggling is linked to cane fields. The best way to undercut the demand for human smugglers would be to legalize and regulate the flow of workers in the cane. Legalization and regulation of the flow would give unemployed Haitians access to seasonal labor without the need to pay smugglers or dodge Dominican soldiers. This goal should be broached with the forthcoming Haitian government as well as the Dominican government.

Explore temporary guest worker arrangements in the construction industry. The Dominican construction industry is as dependent on illegal border crossings and smugglers as the sugar cane industry. The option of issuing temporary guest worker passes for the construction industry should also be considered.

Repatriation. The process of Dominican repatriation of Haitians tends to be abusive, especially in the treatment of children. Haitians are routinely rounded up and dropped off at the border. Annual deportation is undoubtedly in the thousands, including children. Haitians are picked up wherever they happen to be with no opportunity to gather their things, deal with valuables, or look after their children, and children may be abruptly separated from parents or other adult caretakers. Repatriated Haitians and other eyewitness reports also indicate that Dominican guards may take money from deportees during the repatriation process.

Shelter. Mayors in border communes sometimes provide deportees or other returning migrants with food, a place to sleep over night, and bus fare if they can afford it. Some are labor migrants abandoned by smugglers or migrants unable to find work at assembly points for the sugar harvest. PADF/TIP has provided assistance for such shelter services in Beladre, but this border network



merits expansion.

Child servants. There is evidence of numerous migrant children placed as unpaid child servants in undocumented and marginal Haitian households in the Dominican Republic. This is an underserved sector worth targeting by Creole language media campaigns within the Dominican Republic and by civil society outreach at grassroots levels.

#### Tier Status

##### Haiti

In 2003, the U.S. Department of State Trafficking in Persons Report classified Haiti in Tier 3 for insufficient governmental efforts to prevent trafficking in persons or to halt unlawful child labor practices. This tier classification was later upgraded to Tier 2 by a decision of Secretary Powell. In 2004, in the wake of political crisis and the fall of the Aristide government, Haiti was not classified on the Tier Watch List. The June 2005 Report placed Haiti on the Tier 2 Watch List, noting that the Interim Government of Haiti (IGOH) had made some effort to address trafficking issues but that much more needed to be done. The change in Tier status coincides with PADF/TIP initiatives during this period. The Report's findings and recommendations also pointed to high priority areas for TIP program initiatives.

Legal framework. The 2005 Report took note of upcoming elections and the need to enact comprehensive legislative reforms. Accordingly, legislative reforms were identified as follows:

- to protect children in the country from trafficking and other abusers,
- seek out opportunities to cooperate with the Government of the Dominican Republic on cross-border trafficking, and find ways to direct resources to the Brigade for the Protection of Minors (BPM) and the Social Welfare Ministry (IBESR) so they may rescue and protect victims.

Prosecution. The June 2005 Report notes that the country does not have a truly functioning judicial system, that Haiti does not presently have the capacity to adequately monitor its borders, and that official corruption impedes anti-trafficking efforts.

Protection. According to the 2005 Report, the IGOH lacks the resources necessary to protect trafficking victims. Furthermore, the IGOH lacks the means to provide protection or assistance to Haitians dropped at the border by Dominican officials.

Prevention. The June 2005 Report states that the IGOH lacks the resources for prevention campaigns; however, the government did increase funding for anti-trafficking efforts and other child protection services in its 2005 budget.

##### Dominican Republic

The 2005 Trafficking in Persons Report places the Dominican Republic on the Tier 2 Watch List due to its failure in the past year to show evidence of increased efforts to address trafficking. The Report also notes that the Dominican Republic is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor, and cites ILO estimates that 48,000 children are engaged in child labor nationwide.



Prosecution. The TIP Report notes that anti-trafficking law enforcement is limited, and official corruption remains endemic and impedes anti-trafficking efforts.

Protection. The 2005 Report states that there are no shelters in the Dominican Republic that target services to victims of trafficking, and that the government lacks a comprehensive victim protection policy. The Report notes that government control of its border with Haiti is weak, and that identification and responsible repatriation of Haitian trafficking victims in the DR needs to be improved. This finding reflects concerns expressed by President Fernandez in June 2005 at a workshop sponsored by the PADF Fwonty Nou-Nuestra Frontera program.

Prevention. The TIP Report of 2005 takes note of efforts to train officials in trafficking, and public awareness campaigns; however, the Report concludes that the Dominican government has not implemented sustainable prevention campaigns.

#### 1F. Performance Indicators:

- Improved monitoring, documentation, and more reliable database on cross-border trafficking and repatriation
- Tool for bi-national advocacy for improved migration policies including legal migration
- More humane treatment of migrants picked up and deported, including women and children
- Heightened public awareness of trafficking issues and victim services in border areas
- Cross-Border Task Force and bi-national advocacy on behalf of improved migration policies including legal migration
- Bi-national strategic planning to prevent trafficking in both countries
- Grassroots partnership with bi-national policy experts, and advocacy at the highest levels of government for improved border management and immigration policies
- Improved border services for victims, including expanded shelter capacity
- Increased awareness, protection, and local capacity to provide improved services
- Improved border services for victims, including expanded shelter capacity and better treatment of trafficked and repatriated Haitians
- More humane treatment of deported children, including those separated from adult caretakers

#### 1G. Evaluation Plan:

In the first month of operation, TIP program staff will carry out a rapid needs assessment and prepare a 12-month work plan for the cross-border component in keeping with outputs summarized in the above table of performance indicators. During the sixth month, the project will review progress in accomplishing goals and activities described in the work plan, and will review the adequacy of program response to needs identified in the preliminary assessment.

In the final trimester of the cross-border the project will use consultant support for participatory evaluation of the cross-border program along with all other TIP project components to assess progress to date, identify lessons learned, and propose follow-on activities deemed necessary for Cross-Border and other TIP program objectives. This evaluation will devote particular attention to the evolution of the political and policy environment following Haitian elections projected for February, March, and April 2006, and establishment of a new government with a

functioning parliament, including parliamentary commissions related to anti-trafficking and cross-border issues. The fourth trimester evaluation will identify priorities and prospective follow-on activities in keeping with the policy environment and the functioning of government and law enforcement agencies linked to project goals.

¶H. Budget Breakout: The total budget requested for The Cross-Border Anti-Trafficking Project is \$581,714. PADF will bring considerable efficiencies to implementation through synergies with existing long-term activities in the area (detailed budget will be emailed separately in excel spreadsheet). The resume below shows the main line items.

Total Personnel and Fringes: 105,658 (18.2 percent)  
Total Travel and perdiem: 36,000 (6.2 percent)  
Total Project Support Costs: 95,820 (16.3 percent)  
Total Project Activities: 265,000 (45.6 percent)  
Total Direct Costs: 501,478 (86.2 percent)  
NICRA: 80,236 (13.8 percent)

¶I. Cost-Sharing, Host Government Contribution:

PADF will also leverage its special relationship to the OAS in Haiti, the Dominican Republic, and Washington for technical assistance, expertise in human rights and anti-trafficking, and training of government personnel. This will include consultant support from the anti-trafficking unit of OAS/Washington to assist the Brigade pour la Protection des Mineurs. This assistance can be leveraged to help train new BPM officers including those slated for assignment to border areas. There is also prospective grant support from OAS/Washington to supplement PADF/TIP training for the BPM and border authorities as described in the present proposal for activity number 5, "Train border area authorities."

In the Dominican Republic, the PADF/Fwonty Nou -Nuestra Frontera Project collaborates closely with OAS/DR, including joint financial support for an OAS employee. Dr. Bertha Santoscoy, the OAS Resident Representative in the Dominican Republic, is also a well-known human rights lawyer. She is available to assist the Cross-Border Anti-Trafficking Project as a resource person. Furthermore, PADF and OAS/DR will jointly spearhead creation of the Cross-Border Task Force (activity number 3 of this proposal), including assistance in recruitment of bi-national specialists in law and migration policy, and recommendations for migration policy and strategic planning for the border.

Other PADF Projects

As stated in the beginning, the present proposal, the Haiti/Dominican Republic Cross-Border Anti-Trafficking Project, is designed as a new PADF/TIP component--the fifth component of an ongoing program that also includes (1) advocacy, policy reform, and legislation, (2) prosecution of traffickers and enforcement legislation, (3) information and media campaign, and (4) the protection and rescue of trafficked persons. Therefore, there is a considerable degree of synergy as well as cost sharing in linking the new Cross-Border Anti-Trafficking Project to the ongoing PADF/TIP program.

The Haiti/Dominican Republic Cross-Border Anti-Trafficking Project itself has five activity

areas. Four of these activity areas will be funded primarily by the present proposal, whereas the fifth activity area, "Training of border-area authorities," will be funded primarily by the PADF-TIP program under its present funding from the USAID Mission.

The PADF/Fwonty Nou-Nuestra Frontera Project will work closely with the Cross-Border Anti-Trafficking Project, especially in the Dominican Republic. This will include synergies and some degree of cost sharing, including close proximity via shared office space.

The PADF National Community Driven Development Project (PRODEP) works closely with community groups and local levels of government, including the South-East department which adjoins the Dominican border. The partnerships and the grassroots oriented methodology of PRODEP in this area will facilitate PADF/TIP and Cross-Border Anti-Trafficking initiatives. PADF work with civil protection committees also uses a methodology that links local government with grassroots civil society organizations. In view of the Cross-Border Anti-Trafficking activities related to mayors and local groups, the PRODEP and civil protection activities tend to facilitate border-area anti-trafficking activities.

I. Proposed Funding Mechanism: Same as current PADF funding through USAID/Haiti.

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K. Other donors: None.

- a. 1. Summary: One hundred three permanent voter registration centers and 20 mobile centers with roughl registration computers are open throughout Haiti, and additional centers are scheduled to open within a few Though the official tally of registered voters was 181 on June 23, on June 27, the Organization of American S estimated that roughly 250,000 voters have registered. However, some groups have started a campaign to dissua Haitians from registering, and the Interim Government Haiti still has not released decrees that will legitim the elections. End Summary.